IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 167 of 2000

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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KANKUBEN BHIKHABHAI MAHERIYA - Applicant(s)
Versus
D S P, & 5 - Respondent(s)

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Appearance :

MS LAXMI C NAINANI for Applicant(s) : 1,
MR DIPEN DESAI, APP for Respondent(s) : 1, 6,
RULE SERVED for Respondent(s) : 2,
MR HS MUNSHAW for Respondent(s) : 3 - 4.
MR MAHESH B BARIYA for Respondent(s) : 5,

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 10/10/2007

ORAL JUDGMENT

This petition was filed by a member of Jekda Gram Panchayat. The case of the petitioner was that

though she had filed complaint regarding misdeeds of the Sarpanch and other members of the Panchayat, no serious steps have been taken to investigate into the allegations made.

2. Learned APP Shri Dipen Desai for the State, however, pointed out that an affidavit was filed on behalf of the State wherein it is stated that pursuant to the complaints of the petitioner, investigation was carried out and charge-sheets were filed and the cases are pending before the courts for trial. He also pointed out that against the erring members, externment proceedings were also initiated. This being so, the grievance of the petitioner, at this stage, would not survive.

3. In view of the above position, the petition is disposed of. Rule is discharged.

(Akil Kureshi, J.)

(vjn)